



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes

### PERSONNEL/INSURANCE COMMITTEE

*Johnny Walker, Chairman*

*Ruben Sands, Vice Chair*

*Philip M. Goldstein*

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Wednesday, July 27, 2016

Council Chamber

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#### Immediately following Special Called City Council Meeting

**Presiding:** Johnny Walker

**Present:** Ruben Sands and Philip M. Goldstein

***Also Present:***

*R. Steve Tumlin, Mayor*

*Stuart Fleming, Council – Ward 1*

*Andy Morris, Council – Ward 4*

*Michelle Cooper Kelly, Council – Ward 6*

*William F. Bruton, Jr., City Manager*

*Douglas R. Haynie, City Attorney*

*Stephanie Guy, City Clerk*

#### CALL TO ORDER:

*Chairman Johnny Walker called the meeting to order at 5:46 p.m.*

#### MINUTES:

##### **20160703      Regular Meeting - June 29, 2016**

Review and approval of the June 29, 2016 regular meeting minutes.

**A motion was made by Council member Goldstein, seconded by Council member Sands, that this matter be Approved. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Approved**

#### BUSINESS:

##### **20160736      Property & Casualty/Miscellaneous Coverage**

Review and approval of the City of Marietta/BLW property & casualty and other miscellaneous coverage, premiums, and companies utilized for the policy period of August 17, 2016, to August 17, 2017.

**A motion was made by Council member Goldstein, seconded by Council member Walker, that this matter be Recommended for Approval – Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Recommended for Approval – Consent Agenda**

**20160747**

**Limited Appeal Rights of Surviving Spouse as to Beneficiary Benefits:**

Motion to approve recommendation of amendment of City of Marietta Pension Plan for consideration of Pension Board subject to compliance with Federal and State laws and all promulgated rules and regulations of all regulating bodies thereto:

Notwithstanding any other provision to the contrary in the City of Marietta Pension Plan, a non-employee surviving spouse who was married for at least 10 years to and was married at the time of death to a City of Marietta employee who was vested in the City Plan, had obtained normal retirement age and conditions, and had yet filed a beneficiary designation form (qualified employee) shall have the option and right to apply for pension benefits of qualified employee that could have been extended to said surviving spouse if Beneficiary form had been completed. The maximum pension benefits shall be determined at the joint beneficiary rate as adjusted for death benefits paid previously to surviving spouse in lieu of "no pension benefits" including defined contributions of qualified employee paid previously to surviving spouse.

Appeal period shall be open for 2 years following the death of the qualified employee addressed to the Pension Board subject to approval by Council for period following effective date of this amended ordinance and the limited period of five years following the death of the qualified employee prior to the adoption of this amendment (October, 2011 forward). Determinations will be on a case-by-case basis by Pension Board. Pension annuity shall commence upon approval of appeal with no recapture of payments from date of death of qualified employee with the Pension Board given flexibility to allow Appealing Beneficiary to retain employee death benefits paid previously in lieu of pension as calculated and then commence adjusted pension annuity benefits as adjusted commencing at a later date reflecting the amount of retained benefit or any combination thereto. Upon determination and detail of distribution of benefit by Pension Board, said decision is Subject to approval of City Council. These Amended Spousal protection distributions when applicable shall be funded from City general fund on an annual reimbursement Basis to pension fund so as not to skew Pension funding calculations as regulated.

This amended provision is limited to the above stated surviving spouse of qualified deceased employee for stated periods with no other appeal rights created, implied, or stated.

This item is requested by Mayor Tumlin.

*Discussion was held. This matter was forwarded to the Council agenda for further discussion.*

**A motion was made by Council member Walker, seconded by Council member Sands, that this matter be Recommended for Approval - Non Consent Agenda. The motion carried by the following vote:**

**Vote: 2 – 1 – 0                      Recommended for Approval - Non Consent Agenda**  
Voting Against: Philip M. Goldstein

**ADJOURNMENT:**

*The meeting was adjourned at 6:23 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_